



**VASQUEZ BOULEVARD/INTERSTATE 70 SITE
WORKING GROUP MEETING**

**FINAL MEETING SUMMARY
December 8, 1998**

**Cross Community Coalition
2332 East 46th Ave.
Denver, CO**

IN ATTENDANCE:

Working Group

Bonnie Lavelle, EPA Region 8
Chris Weis, EPA Region 8
Susan Muza, ATSDR
David Mellard, ATSDR
Anthony Thomas, Clayton Neighborhood Association
Joan Hooker, Clayton Neighborhood
Sandy Douglas, Cole Neighborhood
Melissa Muñoz, Colorado People's Environmental and Economic Network
Lorraine Granado, Cross Community Coalition, Swansea Neighborhood
Debbie Gomez, Swansea Neighborhood
Celia VanDerLoop, City and County of Denver, Dept. of Environmental Health
Mark Walker, Colorado Dept. of Public Health and Environment
Chuck Patterson, Globeville Neighborhood
Jane Mitchell, CDPHE
Robert Litle, Asarco Globe Plant
Linda Larson, Heller Ehrman White & McAuliffe(Asarco)
Frances Hartogh, State of Colorado, Attorney General's Office

Others

Joyce Tsuji, Exponent (Asarco)
Matt Cohn, EPA Region 8
Patricia Courtney
Ted Fellman, EPA Region 8
Sandee Coulberson, ATSDR
Marion Galant, Colorado Dept. of Public Health and Environment
Barbara O'Grady, Colorado Dept. of Public Health and Environment
Julia Korndorfer, Colorado Dept. of Public Health and Environment
Theresa NeSmith, ATSDR

Facilitators

Mary Margaret Golten, CDR Associates
Louise Smart, CDR Associates

Working Group Participation

The Working Group discussed the inclusion of Asarco representatives on the Working Group. EPA has requested Asarco's participation because of the proximity of their facility to the area and because they can contribute information which will aid in the interpretation of data collected in the area. Representatives of Asarco would like to participate on the Working Group because they would like to in a participatory process engage from the beginning in the hopes of avoiding the litigious situation that has occurred elsewhere. Although representatives of Asarco do not know whether Asarco is more than a stakeholder, they do consider Asarco "an interested party." Concern was expressed about the possibility of giving Asarco undue influence; representatives of Asarco stated that they would like to provide information and respond to questions. The facilitator urged the group to speak up if they had any concerns about Asarco's form or level of participation so these concerns can be addressed.

Meeting Summary Review

The Working Group deferred specific comments on the Meeting Summary from November 12 to the next meeting. David Mellard and Celia VanDerLoop said they would prepare written comments on the meeting summary. **The Working Group agreed that the Meeting Summary should include a final page that lists decisions and action items and that the Summary should reflect who attended, including both Working Group members and observers.** Some Working Group members will be identified as representatives of an organization and a neighborhood (e.g., Lorraine Granado represents both the Cross Community Coalition and the Swansea neighborhood).

EPA Process Steps

Bonnie Lavelle described the process EPA will use to arrive at a Proposed Plan for the site area (see attached diagram). EPA conducted sampling (data collection) in Elyria and Swansea. Based on the results of this sampling, EPA decided to continue to sample in other neighborhoods. The additional sampling was completed in August, 1998. Since the data has shown elevated concentrations of arsenic and lead in the soils, EPA has started a process to evaluate that data to see if there may be unacceptable health risks predicted as a result of exposure to these soils (risk assessment). At that point there is a decision: whether or not the health risks warrant cleanup action. If the decision is "yes," then EPA develops cleanup options and analyzes these options. This work is documented in a Remedial Investigation/ Feasibility Study Report (RI/FS). If EPA decides to take action, then EPA develops a Proposed Plan. Bonnie explained that the Working Group will serve as a forum for sharing information and receiving input as EPA goes through this process. EPA will

share data with the Working Group, will create an administrative record, and will provide opportunity for comment. EPA has the responsibility for making the decision regarding cleanup action in the area. To help them arrive at that decision, EPA wants the Working Group to provide feedback, tell EPA their opinions about the data, have dialogue about how the data is being interpreted, and advise EPA about the need for public meetings (in addition to the required public hearing and public comment period on the Proposed Plan). The EPA will provide information, ask for comments in writing, compile the comments, prepare responses in the form of an EPA letter to the commenter, and provide copies of the responses to the Working Group.

If a Remedial Investigation/Feasibility Study is done and the site is listed, EPA must do a Proposed Plan and present it for public comment, even if the no action option is proposed. If EPA decides that no action is needed, they need to recommend no action as their preferred alternative to the community/public and explain their reasoning. The proposed plan and public comment are required by regulation if the site is listed; even if not listed, a proposed plan and public comment should be conducted even if the no action option is recommended.

Soil testing: The Working Group members will revisit the question of whether additional sampling is needed when it is determined if there are any remaining risks that warrant cleanup, e.g., at completion of the Baseline Risk Assessment.

Comments from the Working Group about the process outline included:

- The timeline may be unrealistic. Since the community has asked about cumulative effects of contaminants and assessment of the mix of contaminants, the risk assessment may take longer than projected. EPA will adjust the timeline if needed.
- ATSDR is committed to participation in this process, regardless of whether the site is listed on the NPL.
- Sampling has not been conducted on commercial land. If the area becomes a Superfund site, commercial sites will be included in the scope of EPA's investigation.
- Unless the site is listed as a Superfund site, there is no guarantee of money for clean up. EPA will continue with its decision-making process, regardless of the NPL listing; however, EPA will require NPL listing to be able to use Superfund dollars for clean up. If, during the process, enforcement determines there is a viable Potentially Responsible Party (PRP), the PRP can be a resource for clean up, regardless of NPL listing.
- If residents who live outside the site area want their soil tested immediately, they can pay for this testing. EPA's baseline risk assessment will include an estimate of levels of soil contaminants that might pose a risk to public health or the environment. Individuals who have their soil tested will then have a measure to compare their samples. It is possible that EPA will expand the project boundaries if, through the process, EPA determines the study areas are not sufficient and there is a need to conduct additional sampling.
- It is not necessary to sample every property to complete a baseline risk assessment. However, if the EPA determines there should be clean up, it may be

necessary to sample each property to determine precisely where clean up should occur.

- The representative from the Cross Community Coalition suggested that every property should be sampled if the NPL listing is by address. The EPA explained that the EPA will not list by address. If the listing occurs after the baseline risk assessment, the EPA can be more specific and potentially narrow about the area to be listed. If it occurs earlier, the EPA will be more broad about the listed area.

Expectations for the Working Group

The Working Group members expressed their expectations for the Working Group, including:

- To have an opportunity to influence the process
- To provide perspective on whether more data is needed and how data analysis is being conducted
- To understand the timeline for addressing issues
- To know how and when sampling of commercial properties will occur
- To understand the issues of other participants and have a forum for raising issues
- To know where we diverge and have an opportunity to go on record about our views
- To understand how community involvement fits in with the Working Group
- To provide a reality check for EPA through input to the process as well as input to the clean up, if and when we get to that point
- To have access to all the data that is public information
- To be involved in every discussion that relates to how risk assessment is done, to have input to the process and decisions
- To be included in discussions between the state and EPA on significant issues (or to be told why we weren't included)
- To have full involvement of ATSDR in the process and to inform the community about health implications
- To have EPA treat the site as an environmental justice site
- To know there is a solution to health problems and see everyone working toward that solution
- To know the extent of cancer and respiratory disease in the area
- To have EPA conduct state of the art risk assessment and to fully understand the science that has gone into making decisions
- To have the governmental agencies work together and set aside power struggles and work together for solutions that are best for the community
- To have the Working Group help ATSDR in ATSDR's four areas of responsibility: health evaluation of data, community involvement, education, and communication of health studies
- To provide an opportunity for the toxicologists to share perspectives and expertise (they will report back to the Working Group the results of separate technical discussions which they may have)
- To have a forum in which all participants can ask questions
- To have a written report of discussions

Discussion of Public Involvement

The EPA will be conducting a public involvement process. The EPA would like each neighborhood representative on the Working Group to raise a red flag regarding the need for public involvement and to advise the EPA when a meeting with the community may be needed and how it should be conducted. Although the Working Group will be an advisor and conduit for public involvement, the EPA public involvement staff may be required by regulation to undertake action the neighborhood representatives may not request or support. **The Working Group agreed (1) that the Working Group neighborhood representative and alternate will be notified when EPA comes into the neighborhood and (2) that EPA will first consult the neighborhood representatives, explain the different potential services, and jointly discuss the best way to address the community's public involvement needs.**

Discussion of ATSDR's Role

David Mellard explained that ATSDR has four areas of focus:

- (1) Evaluating environmental data and determining public health significance of that data
- (2) Making sure the community is involved
- (3) Health education in the community
- (4) Deciding whether or not ATSDR should conduct any health studies (such studies would be done by a different part of the agency) or bio-monitoring

ATSDR may find it useful for the Working Group to conduct discussions as part of these areas of focus, outside the current process built around EPA's decision making. In this case, ATSDR will discuss this with the EPA and offer the Working Group the opportunity to expand its work.

ATSDR can conduct a health survey even if the site is not NPL listed.

Discussion of Environmental Justice

Environmental justice sites are those sites where there are or will be significant environmental effects that may be having an adverse impact on minority or low-income populations appreciably exceeding those on the general population. Environmental justice also considers whether minority or low-income populations are affected by cumulative or multiple adverse exposures from environmental hazards in a disproportionate amount when compared to the general population. The Vasquez Boulevard/I-70 area has many sources of contamination. The President's Executive Order on Environmental Justice requires that all the environmental impacts be considered. Lorraine Granado requested that the Vasquez Boulevard/I-70 area be treated as an environmental justice site, including consideration of cumulative effects. EPA will deal with elements associated with historic smelters, including cadmium and zinc, as well as arsenic and lead; a recognition of other contamination will influence EPA's decisions. Bonnie Lavelle said EPA would try to find a way within the Working

Group to consider the cumulative impacts. David Mellard said that ATSDR can look at how other contaminants can impact health.

Discussion of Boundaries for and Extent of Soils Testing

Bonnie Lavelle is maintaining a list of requests for sampling from residents who live within the current boundaries of the study area whose properties have not been sampled. Residents outside the boundaries will have to pay the costs of the testing. There are a number of private testing firms; costs are expected to run about \$30 per metal tested for. Since EPA will make a decision after the risk assessment about whether or not to expand the boundaries, it may be premature for individuals who live outside the current boundaries to do testing on their own. It is possible the boundaries will expand and include them, in which case the cost of testing would be borne by EPA.

Draft Procedural Guidelines

The facilitators distributed copies of "Draft Procedural Guidelines for Vasquez Boulevard/I-70 Working Group" and asked the Working Group to read them carefully and contact the facilitators (Mary Margaret Golten or Louise Smart, 303-442-7367) if they have any comments. The Working Group will discuss these at the next Working Group meeting.

Observer Comments

Ted Fellman, EPA public involvement staff, explained that EPA's obligations are to the whole community. As EPA implements the Superfund process, EPA will need to involve and inform the community in general. Although the EPA public involvement staff will consult the Working Group, the Working Group is not primarily a community involvement forum, and EPA's efforts will be larger. The EPA will be conducting community interviews soon to establish a community involvement plan. The Working Group can support EPA efforts and help the EPA distribute information in the community through block coordinators.

Sandee Coulberson, ATSDR community involvement staff, told the Working Group that the community has raised a number of questions with ATSDR. ATSDR will first confirm with the community that the compiled list covers the questions the community wants answered; then ATSDR, with the help of EPA and the state, will put together answers to those questions. ATSDR will also be working on a health education program.

The Working Group suggested that the public involvement staff from the different agencies get together and discuss their plans.

Risk Management Objectives

Chris Weis, EPA toxicologist, explained that EPA will begin to build the foundation of the risk assessment and wants input from the Working Group to help ensure that the

foundation is solid. To this end, he asked the Working Group to help develop a set of risk management objectives. He gave, as an example, the following: You hear through a newspaper article that there is a problem of lead contamination in your area. Your objective would be that the lead contamination will not affect your family's health. This objective might be refined to read, "We want to assure protection of family health in the yard and in the play areas in the community." EPA would then consider what is the best way to assure protection of the whole family from exposure to soil lead. This might lead to the assessment endpoint of protecting the children. Tools would then be needed to measure that endpoint. We could measure blood lead, lead in dust in the house, and lead in soils. In some cases, it might not be physically, technically, or financially feasible to develop a measurement endpoint to reach the objective. Chris asked the Working Group to provide a set of first-draft objectives for risk management. These include:

1. Clean up all property (inside and outside) to meet minimum risk levels (MRLs) for arsenic, cadmium, lead, and zinc. (MRL is a dose that ATSDR developed based on toxicology for a specific substance, below which is it unlikely to have non-cancerous effects. A MRL is a dose to people. The objective might read: all property cleaned up to meet cadmium, arsenic, lead, and zinc levels of dosage to people below which non-cancer health effects are unlikely.)
2. To know the relationship between asthma and kidney disease (or other disease) to exposure to the identified chemicals (cadmium, lead, arsenic, and zinc).
3. Identify all cancers, type and frequency, within the tested area, by location.
4. The cumulative cancer risk (from cadmium, arsenic, lead, and zinc) for all residents will not exceed one in a million.
5. Facility risk assessments should be conducted prior to zoning or permitting new industry.
6. Clean up will occur to minimize potential for re-contamination.
7. All non-residential property (including alleys and street and road construction or traffic dust) will be cleaned so that no adverse health effects occur.
8. EPA will document their specific efforts to treat this site as an environmental justice site..
9. Cumulative risks from E.J. sources are evaluated, (e.g., mobile sources, current industry, night-time odors)
10. Understand and break soil exposure pathways (indoors/outdoors, direct/indirect).
11. Assure that groundwater meets applicable standards.
12. Work toward full understanding of and agreement on the Feasibility Study, by assuring that it meets all of our needs.
13. Assure sustainable ecology in aquatic and riparian systems on site.
14. Identify individuals who may need health intervention (prior to, during, and after clean up).
15. Assure state-of-art QA/QC and methods used for all activities.
16. Assure that decisions are scientifically sound.
17. Prevent usage of contaminated groundwater.
18. Assure decision and processes are consistent with EPA regulations, guidance, and policy, including environmental justice.

19. Assure decision and processes are consistent with state regulations, guidance, and policy.
20. Assure decision and processes are consistent with local regulations, guidance, and policy.
21. Assure protection of sensitive groups (children, seniors)
22. Assure that ATSDR is fully involved throughout the process.
23. Assure agreement between ATSDR, EPA, and CDPHE on risk assessment methods, to the greatest extent possible.

EPA will re-organize, consolidate, and refine these objectives and distribute them to the Working Group for further discussion and approval at the next meeting. Working Group members should review them, talk with their constituents and offices, and comment to EPA on whether or not this list is complete and accurate. Once EPA establishes the objectives that make up the foundation for the risk assessment, EPA will build a method for risk assessment that provides tools to meet those objectives.

EPA will build a site conceptual model for the risk assessment. It will be a one-page schematic drawing with boxes and lines, outlining sources, release mechanisms, transport mechanisms, exposure points, receptors, and exposure routes. There will be linkages across these different lists. In order for there to be a calculable risk, there has to be a complete exposure pathway. This will be the most valuable tool for taking care of the problem. Since it is not possible to alter the toxicity of arsenic and lead, etc., the goal will be to alter the exposure path. This can occur through removal of the source or through breaking pathways along the chain.

Exposure Pathways (related to soil)

Chris Weis explained that EPA would like to minimize the number of exposure pathways that must be quantified and focus only on those pathways that contribute the lion's share of the risk. He asked the Working Group to help identify potential exposure pathways. These included:

- Crawl space
- Dust from traffic (breathing)
- Empty lots (kids play there - dirt bikes, bikes, soccer); each neighborhood should identify lots where children play
- Lots and dirt roads owned by Union Pacific Railroad (in Clayton)
- Gardening (98% of residents in Clayton and Cole have gardens or fruit trees); 30-40% in Swansea/Elyria)
- Old Finance Center at 38th and York; there is a lot of illness in that area (August of 1997, there was a PCB spill)
- Construction site by the Coliseum (near site of old Argo Smelter); may be turning over contaminated dirt
- There is a lot of construction in the area which tends to bring contamination from below the surface to the surface
- Children going barefoot

- Children playing along railroad tracks; looking for tadpoles in spring
- Pets bringing in dirt from outside (there is a large percentage of pets in the area)
- Dust from the crawl space being re-circulated through the heating system
- Unpaved alleys - traffic, some kids playing in alleys (whose parents don't want them in the street)
- We (Swansea and Elyria) don't have licensed day care providers; but we have children staying with extended families

Next Working Group Meetings

The next Working Group Meeting will be Thursday, January 28, from 8:30AM to 1:00PM at EPA Region 8 Office, 999 18th Street, Second Floor Conference Room.

The agenda will include:

- (1) Review and discussion of comments on the EPA report, "Draft Data Report for the Vasquez Boulevard & I-70 Residential Soils Supplemental Investigation Physico-Chemical Characterization of Soils" (from the state, city, and ATSDR) and EPA responses to those comments (all Working Group members will get copies of the comments and response)
- (2) Review of the objectives and exposure pathways (EPA will revise and distribute copies of these lists)
- (3) If available from the laboratory, presentation, and discussion of data on the intensive sampling; data on the dust in people's homes
- (4) Presentation and review of public involvement plans
- (5) Review, discussion, and approval of Procedural Guidelines for the Working Group
- (6) Review, modification (if needed), and approval of Meeting Summaries from November 12 and December 8

The following meetings will be from 8:30 to 1:00:

Thursday, February 18 (Swansea Recreation Center)

Thursday, March 4 (EPA offices)

Thursday, March 18 (Swansea Recreation Center)

Evaluation of the Working Group Meeting

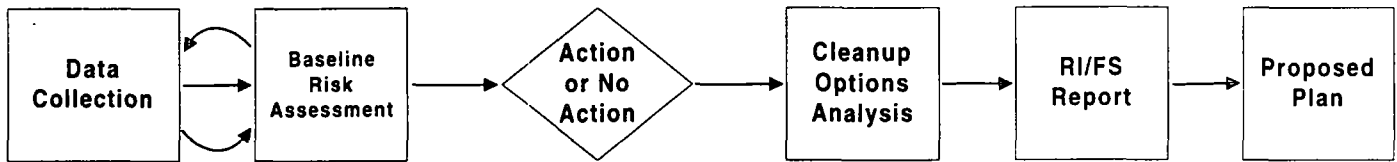
The Working Group liked:

- EPA got the Working Group's objectives that were needed
- The objectives put together in perspective
- The diagram of the process, with timelines
- Meeting with the whole group, believing that something is going to be done

The Working Group's suggestions for improvement:

- Need to keep us more focused on the agenda
- Keep a parking lot for issues to come back to, so we don't tend to stray

Vasquez I-70 Process Outline



- Synergistic
- Cumulative
- Commercial properties

Apr-Sept 98 —> March 99 —> June 99 —> July 99 —> Aug 99 —> Sept/Oct 99

Soils

Spring 99

- Air
- Groundwater
- Surface water



May '99

SUMMARY OF DECISIONS AND ACTION ITEMS

1. The next meeting will be Thursday, January 28, from 8:30AM to 1:00PM at the EPA office, 999 18th Street, Second Floor Conference Room.
2. The Working Group should read the Draft Meeting Summaries of the November 12 and December 8 meetings and provide comments or corrections to the facilitators.
3. The Working Group should read the Draft Procedural Guidelines for Vasquez Boulevard/I-70 Working Group and provide comments to the facilitators.
4. The EPA will refine the draft objectives for risk management and the list of exposure pathways and distribute them to the Working Group for discussion at the next Working Group meeting.
5. The EPA will prepare copies of comments on the EPA "DRAFT Data Report for the Vasquez Boulevard & I-70 Residential Soils Supplemental Investigation: Physico-Chemical Characterization of Soils" and EPA's responses to those comments and distribute them to the Working Group. This will be a topic for discussion at the next Working Group meeting.

To contact the facilitators (Mary Margaret Golten and Louise Smart, at CDR Associates),

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